

A RESOLUTION

02- R -1211

BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

**A RESOLUTION AUTHORIZING PAYMENT IN THE  
AMOUNT OF \$1,280.00 IN SETTLEMENT OF THE CLAIM  
OF DONNA LEMON, AGAINST THE CITY OF ATLANTA  
AND FOR OTHER PURPOSES**

**WHEREAS, DONNA LEMON**, has filed a claim against the City of Atlanta seeking damages arising from vehicular damages she sustained on October 10, 2001 at 3300 Peachtree Road; and

**WHEREAS**, the claimant damaged her vehicle when she struck a storm sewer manhole that was in the process of being raised; and

**WHEREAS**, the claimant has asserted damages in the amount of **\$1,280.00**, and she has agreed to accept this sum of **\$1,280.00** in full and complete satisfaction and settlement of her claim against the City of Atlanta; and

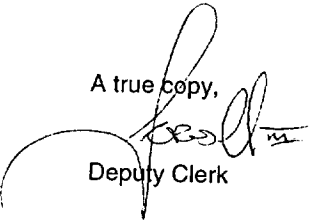
**WHEREAS**, the City Attorney has recommended that the claim of **DONNA LEMON** be settled for the sum of **\$1,280.00**; and

**WHEREAS**, this claim was previously adversed by City Council on May 20, 2002.

**THEREFORE, BE IT RESOLVED** that the Council of the City of Atlanta, Georgia that resolution number 02-R-0769 be hereby rescinded and that **\$1,280.00** be paid by the City of Atlanta in satisfaction of any and all claims **DONNA LEMON** may have stemming from damages sustained as a result of a vehicular incident that occurred at 3300 Peachtree Road on October 10, 2001.

**BE IT FURTHER RESOLVED** that the Chief Financial Officer be and hereby authorized to pay the above-mentioned sum from account number **1A01/529017/T31001**.

A true copy,

  
Deputy Clerk

**ADOPTED** by the Council  
**APPROVED** by the Mayor

JULY 15, 2002  
JULY 22, 2002

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0709

Date: 06/27/02

Claimant /Victim DONNA LEMON

BY: (Atty) \_\_\_\_\_

Address: 5709 Longbow Drive Stone Mountain, Georgia 30087

Subrogation: \_\_\_\_\_ Claim for Property damage \$ 1,280.00 Bodily Injury \$ \_\_\_\_\_

Date of Notice: 10/29/01 Method: Written, proper X Improper \_\_\_\_\_

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 10/10/01 Place: 3300 Peachtree Road

Department Public Works Division: Sewer Operations

Employee involved \_\_\_\_\_ Disciplinary Action \_\_\_\_\_

**NATURE OF CLAIM:** The claimant alleges that she sustained vehicular damages after driving over exposed edges of a storm sewer manhole that was in the process of being raised causing damages to the claimant's vehicle in the above amount.

**INVESTIGATION:**

Statements: City employee \_\_\_\_\_ Claimant X Other X Written X Oral \_\_\_\_\_

Pictures X Diagrams \_\_\_\_\_ Reports: Police \_\_\_\_\_ Dept Report X Other \_\_\_\_\_

Traffic citations issued: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

**BASIS OF RECOMMENDATION:**

Function: Governmental \_\_\_\_\_ Ministerial X

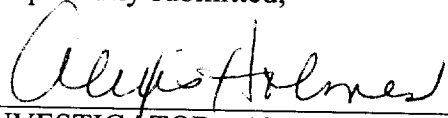
Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other \_\_\_\_\_ Damages reasonable X

City not involved \_\_\_\_\_ Offer rejected \_\_\_\_\_ Compromise settlement \_\_\_\_\_

Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_

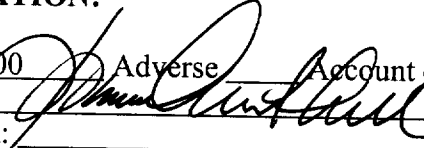
Claimant Negligent \_\_\_\_\_ City Negligent X Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,

  
INVESTIGATOR - ALEXIS HOLMES

**RECOMMENDATION:**

Pay \$ 1,280.00 Adverse \_\_\_\_\_ Account charged: 1A01 X 2J01 \_\_\_\_\_ 2H01 \_\_\_\_\_ 2P01 \_\_\_\_\_

Claims Manager:  Concur/date 06/27/02

Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_

RCS# 3893  
7/15/02  
5:12 PM

Atlanta City Council

Regular Session

CONSENT I

Pgs. 1-11; EXCEPT 02-R-1278

ADOPT

YEAS: 13  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 0  
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	NV Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	NV Boazman	NV Woolard

1 <sup>st</sup> Consent I Vote:	15 Yeas; 0 Nays	(See RCS #3874)
Reconsidered	11 Yeas; 0 Nays	(See RCS #3892)

CONSENT I

		07/15/02 Council Meeting
ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADVERSED ON CONSENT AGENDA
1. 02-O-1255	34. 02-R-1229	52. 02-R-1197
2. 02-O-1256	35. 02-R-1230	53. 02-R-1198
3. 02-O-1262	36. 02-R-1231	55. 02-R-1199
4. 02-O-0969	37. 02-R-1252	56. 02-R-1200
5. 02-O-1149	38. 02-R-1183	57. 02-R-1201
6. 02-O-1100	39. 02-R-1184	58. 02-R-1202
7. 02-O-1175	40. 02-R-1185	59. 02-R-1203
8. 02-O-1105	41. 02-R-1186	60. 02-R-1204
9. 02-O-1109	42. 02-R-1187	61. 02-R-1205
10. 02-O-1110	43. 02-R-1188	62. 02-R-1206
11. 02-O-1111	44. 02-R-1189	63. 02-R-1207
12. 02-O-1112	45. 02-R-1190	64. 02-R-1208
13. 02-O-1113	46. 02-R-1191	65. 02-R-1209
14. 02-O-1114	47. 02-R-1192	66. 02-R-1210
15. 02-O-1115	48. 02-R-1193	
16. 02-O-1116	49. 02-R-1194	
17. 02-O-1117	50. 02-R-1195	
18. 02-O-1144	51. 02-R-1196	
19. 02-R-0363		
20. 02-R-1225		
21. 02-R-1249		
22. 02-R-1250		
23. 02-R-1251		
24. 02-R-1263		
25. 02-R-1276		
26. 02-R-1277		
27. 02-R-1214		
28. 02-R-1215		
29. 02-R-1274		
30. 02-R-1211		
31. 02-R-1212		
32. 02-R-1227		
33. 02-R-1228		

02-R-1211

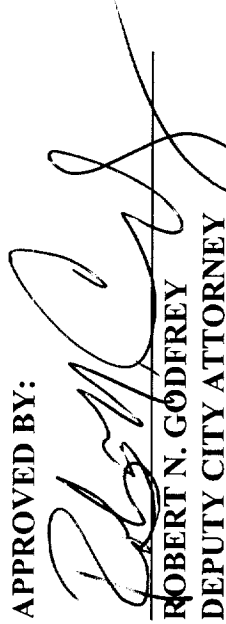
(Do Not Write Above This Line)

A RESOLUTION

BY PUBLIC SAFETY AND  
LEGAL ADMINISTRATION COMMITTEE

A RESOLUTION AUTHORIZING  
PAYMENT IN THE AMOUNT OF  
\$1,280.00 IN SETTLEMENT OF THE  
CLAIM OF DONNA LEMON AGAINST  
THE CITY OF ATLANTA AND FOR  
OTHER PURPOSES

APPROVED BY:

  
ROBERT N. GODFREY  
DEPUTY CITY ATTORNEY

ADOPTED BY

- ☐ CONSENT REFER JUL 15 2002  
☐ REGULAR REPORT REFER  
☐ ADVERTISE & REFER  
☐ 1st ADOPT 2nd READ & REFER  
☐ PERSONAL PAPER REFER

Date Referred

Referred To:

Date Referred


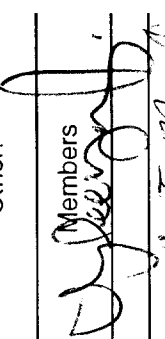
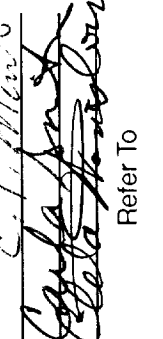
Referred To:

Date Referred

Referred To:

First Reading

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Referred to \_\_\_\_\_

Committee PSLA  
Date 7/9/02  
Chair   
Action: \_\_\_\_\_  
Fav, Adv, Hold (see rev. side) \_\_\_\_\_  
Other: \_\_\_\_\_  
Members   
  
Refer To \_\_\_\_\_

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Action: \_\_\_\_\_  
Fav, Adv, Hold (see rev. side) \_\_\_\_\_  
Other: \_\_\_\_\_  
Members \_\_\_\_\_  
Refer To \_\_\_\_\_

FINAL COUNCIL ACTION

☐ 2nd ☐ 1st & 2nd ☐ 3rd  
Readings  
☒ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

CERTIFIED  
JUL 15 2002

ATLANTA CITY COUNCIL PRESIDENT



CERTIFIED  
JUL 15 2002

ATLANTA CITY COUNCIL CLERK

APPROVED

JUL 22 2002

